IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION NO. 1379 (MS) OF 2001
(Old No. 7936/99)

State of U.P. through Exectuive Engineer,
Dak Patthar Colony, Evam Communcation
Division, Dakpatthar, Dehradun. .....Petitioner

Versus

1. President Officer Labour Court, U.P. Dehradun
2. Yam Bhadur, S/o Ram Bahadur, C/o Virendra Bhandari, S.I.T.U Office, Dehradun. .....Respondents.

Learned Standing Counsel for the State.

Dated: 26.04.2006

Hon'ble Rajesh Tandon, J.

By present writ petition, the petitioner has prayed for a writ of certiorari quashing the order dated 30th May, 1998 (Annexure No.3 to the writ petition) passed by respondent no. 1.

2. Briefly stated, an application under Section 33-C (2) of the Industrial Disputes Act was filed by the respondent no. 2 for the payment of differences in respect of the wages of Semi Skilled Labourers only.

3. The Labour Court vide order dated 30th May, 1998 has passed the award granting the payment of Rs. 12,739.86 paise towards the wages of the semi skilled labourers from May 1993 upto April, 1998. The Labour Court has recorded a finding that the employee concerned has worked for more than seven years. On 16th March, 1993 by the order of the Allahabad High Court, the workman has already been reinstated and the termination order was held to be illegal. Therefore, the Labour Court has awarded the amount towards the wages in order to make the continuity of the employment.

I find no illegality in the order passed by the Labour Court. Writ petition, therefore, is dismissed.

(Rajesh Tandon, J.)

26.04.2006
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